## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA )				
	Plaintiff,	) 8:06CR57 )		
	VS.	) DETENTION ORDER		
AL	BERT DANSBY,	<b>,</b>		
	Defendant.	<b>'</b>		
A.	Order For Detention After waiving a detention hearing pursuant Act on May 10, 2006, the Court orders the act to 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant		
B.	Statement Of Reasons For The Detention  The Court orders the defendant's detention because it finds:  X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.  X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.			
C.	2113(a) each carrying a imprisonment.  X (b) The offense is a crime of (c) The offense involves a na (d) The offense involves a lar  (2) The weight of the evidence again (a) The history and characteristics of (a) General Factors:  The defendant a may affect wheth The defendant has X The defendant has the content of the carrying a simple of the offendant has the carrying a simple of the carrying a imprisonment.  The defendant has the carrying a imprisonment.	e offense charged: bank robbery in violation of 18 U.S.C. § a maximum sentence of twenty years violence. arcotic drug. ge amount of controlled substances, to wit:		
	The defendant is The defendant d ties. Past conduct of t  X The defendant ha The defendant ha X The defendant ha	not a long time resident of the community. loes not have any significant community the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at s.		

## DETENTION ORDER - Page 2

		ease pending trial, sentence, appeal or completion of tence.
(c)	Other Facto	rs:
, ,		e defendant is an illegal alien and is subject to ortation.
	The	e defendant is a legal alien and will be subject to
		portation if convicted.
		e Bureau of Immigration and Custom Enforcement CE) has placed a detainer with the U.S. Marshal.
	Oth	
		seriousness of the danger posed by the defendant's
		ows: The nature of the charges in the Indictment, the
defend		e defendant's arrest, and the prior criminal history of the
delend	iant.	
_X_ (5) Rebut	table Presu	mptions
		the defendant should be detained, the Court also relied
		uttable presumption(s) contained in 18 U.S.C. § 3142(e)
which	the Court fin	ds the defendant has not rebutted:
<u>X</u> (a)		ondition or combination of conditions will reasonably
		appearance of the defendant as required and the safety
		person and the community because the Court finds that
	the crime inv	
		A crime of violence; or
	(2)	An offense for which the maximum penalty is life
	(3)	imprisonment or death; or A controlled substance violation which has a maximum
	(3)	penalty of 10 years or more; or
	(4)	A felony after the defendant had been convicted of two
	(./	or more prior offenses described in (1) through (3)
		above, and the defendant has a prior conviction for one
		of the crimes mentioned in (1) through (3) above which
		is less than five years old and which was committed
		while the defendant was on pretrial release.
(b)		ndition or combination of conditions will reasonably
		appearance of the defendant as required and the safety
		nunity because the Court finds that there is probable
	cause to bel	
	(1)	That the defendant has committed a controlled
		substance violation which has a maximum penalty of
	(2)	10 years or more. That the defendant has committed an offense under 18
	(2)	U.S.C. § 924(c) (uses or carries a firearm during and in
		relation to any crime of violence, including a crime of
		violence, which provides for an enhanced punishment
		if committed by the use of a deadly or dangerous
		weapon or device).

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

## **DETENTION ORDER - Page 3**

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 10, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge